

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

STEPHEN BURGESS, individually, and BRUCE WOLF, as the court-appointed Personal Representative of the Estate of DEBORA M. BURGESS and on behalf of all statutory wrongful death beneficiaries,

Plaintiffs,

-vs-

DAIMLER TRUCK NORTH AMERICA, LLC, a Delaware limited liability company, HTS LOGISTICS, INC. and SAHIL TAYA and JANE DOE TAYA, husband and wife,

Defendants.

Case No. 1:23-CV-03054-MKD

CIVIL MINUTES

DATE: JUNE 17, 2025

LOCATION: RICHLAND

MOTION HEARING

Honorable Mary K. Dimke		
Cora Vargas Courtroom Deputy	02 Law Clerk	Kimberly Allen Court Reporter
Kenneth Friedman Lincoln Sieler Michael Angiulo Plaintiffs' Counsel		Michael Kleffner, Brian Armstrong, Jennifer Artman for Daimler Truck North America, LLC Skyler Urban for HTS Logistics, Inc. and Taya Defendants' Counsel

☒ **Open Court**

☐ **Chambers**

☐ **Video conference**

Mr. Friedman informed the Court that due to unforeseen circumstances, Plaintiffs' expert Shawn Harrington is not available to testify as scheduled on June 18th. Mr. Kleffner requested that Michelle Kuykendal's testimony be rescheduled to the same date as Mr. Harrington's testimony. Mr. Friedman and Mr. Kleffner agreed to reschedule the testimony of both experts to the same date either in person or by video conference.

Daimler Truck North America LLC's Motion for Summary Judgment, ECF No. 98

- Argument by Mr. Kleffner in support of motion

Recess: 10:13 a.m.

Reconvene: 10:26 a.m.

- Argument by Mr. Friedman in opposition to motion
- Rebuttal argument by Mr. Kleffner
- Additional argument by Mr. Friedman in opposition

[X] ORDER FORTHCOMING

CONVENED: 9:01 A.M. 10:26 A.M. 11:46 A.M. 1:28 P.M. 3:44 P.M.	ADJOURNED: 10:13 A.M. 11:37 A.M. 12:34 P.M. 3:22 P.M. 4:37 P.M.	TIME: 5:58 HR.	CALENDARED []
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Daimler Truck North America LLC's Rule 702 Motion to Exclude the Opinions and Testimony of Mendel Singer, PH.D., M.P.H., ECF No. 105

- Argument by Ms. Artman in support of motion
- Argument by Mr. Angiulo in opposition to motion

Recess: 11:37 a.m.

Reconvene: 11:46 a.m.

- Mendel Singer, PH.D., M.P.H., sworn to testify
 - Direct examination by Mr. Angiulo (Court marked Plaintiff's Expert PowerPoint Presentation as Exhibit A for demonstrative purposes)

Recess: 12:34 p.m.

Reconvene: 1:28 p.m.

The Court informed counsel that additional argument regarding the risk-utility analysis may be necessary after conclusion of witness testimony.

- Mendel Singer, PH.D., M.P.H., resumed testimony
 - Cross examination by Ms. Artman
 - Witness stepped down and was excused (2:54 p.m.)
- Additional argument by Ms. Artman in support of motion
- Additional argument by Mr. Angiulo in opposition to motion
- Rebuttal argument by Ms. Artman

Court: Daimler Truck North America LLC's Rule 702 Motion to Exclude the Opinions and Testimony of Mendel Singer, PH.D., M.P.H., ECF No. 105, is **TAKEN UNDER ADVISEMENT**.

Recess: 3:22 p.m.

Reconvene: 3:44 p.m.

Daimler Truck North America LLC's Daubert Motion to Exclude Certain Opinions and Testimony of Jonathan Eisenstat, M.D., ECF No. 103

- Argument by Ms. Artman in support of motion
- Argument by Mr. Sieler in opposition to motion
- Rebuttal argument by Ms. Artman

Court: Daimler Truck North America LLC's Daubert Motion to Exclude Certain Opinions and Testimony of Jonathan Eisenstat, M.D., ECF No. 103, is **TAKEN UNDER ADVISEMENT**.

Continuation of Daimler Truck North America LLC's Motion for Summary Judgment, ECF No. 98

- Supplemental argument by Mr. Kleffner in support of motion
- Supplemental argument by Mr. Friedman in opposition to motion
- Additional rebuttal argument by Mr. Kleffner
- Additional argument by Mr. Friedman in opposition
- Additional rebuttal argument by Mr. Kleffner

Court: Daimler Truck North America LLC's Motion for Summary Judgment, ECF No. 98, is **TAKEN UNDER ADVISEMENT**.

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Counsel will inform the Court if Shawn Harrington and Michelle Kuykendal are available on July 29, 2025, in Richland or by video, to provide testimony regarding the motions filed at ECF Nos. 107 and 112.